

### **REMARKS**

#### **Response to claim rejections under 35 USC § 102**

The Applicant has noted the Examiner's rejection of claims 1 to 9 as being anticipated by DOCKTER et al. The Applicant reminds the Examiner that for a *prima facie* case of anticipation, each element of the claims must be found unequivocally in the cited art.

In this regard, the Applicant would like to comment on the differences between the present invention and the teachings of DOCKTER et al.

Referring to the present invention, claim 1 provides a system for anonymously matching consumption objects with consumer consumption behaviour. The system provides means for confidentially presenting the consumer with the profile of the at least one best-matched consumption object. Therefore, it is clear from the wording of claim 1 that two aspects of the present invention are that it provides anonymity when matching consumption objects and consumers' behaviour, and confidentiality when presenting a consumer with a profile of the at least one best-matched consumption object. It is respectfully drawn to the Examiner's attention that neither Figs. 1 to 3, nor col. 2 to 5 of DOCKTER et al., disclose these aspects. Indeed DOCKTER et al. do not address the problem of confidentiality. The problem is not even mentioned among the list of objects that DOCKTER et al.'s invention explicitly states to address, and the Applicant has not found any reference to confidentiality in DOCKTER et al.'s disclosure. A possible allusion to confidentiality in DOCKTER et al. could have been through the use of the term "confidence"; however, the term "confidence" as used does not have any relationship with confidentiality. As disclosed by DOCKTER et al., the term "confidence" is used in rating a user's preference regarding an object such as a car. This is comprehended from the description (col. 5, par. 2) and from claim 1 where "a confidence field" is associated with a "preference field".

Referring to the present invention, the consumer according to claim 1 is uniquely identified by a true objective behaviour derived consumption profile. The consumer's behaviour is to be interpreted in light of the description, which incorporates by reference the application no. PCT/CA00/01529, wherein it is taught the monitoring of a consumer's behaviour to create an actual behaviour derived consumption profile. In contrast, DOCKTER et al. teaches a system based on each user's subjective preferences: the user's preference referred to by DOCKTER et al. is queried

and clearly claimed to be "subjective" and therefore this queried user's preference differs from a monitored user's behaviour.

Another distinction lies in the characteristics of the central product repository. This is an organised database, separate from the World Wide Web (to which DOCKTER et al. is directed). Furthermore, the repository is industry relative, meaning that only products in a given industry are present – not the whole gamut of the Internet.

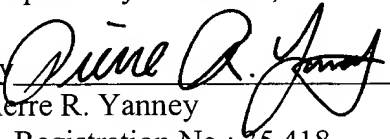
It is thus respectfully submitted that the Examiner has not established a *prima facie* case of anticipation.

Therefore the Applicant deems the invention as claimed in claim 1 is neither anticipated by DOCKTER et al. nor obvious to a person skilled in the art having regard to DOCKTER et al.'s teachings. The Applicant also deems dependant claims 2 to 9 are in condition for allowance as depending on claim 1.

In view of the above amendment, applicant believes the pending application is in condition for allowance. Prompt and favorable action is requested.

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Respectfully submitted,

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